

# **Exhibit 36**



APPLICATION FOR REGISTRATION OF TRADEMARK ON  
PRINCIPAL REGISTER ESTABLISHED BY THE ACT OF JULY 5, 1946

Trademark: MIYANO and design

Int. Cl. No.: 7

TO THE COMMISSIONER OF PATENTS AND TRADEMARKS:

F4<sup>(03)</sup>  
IL  
FS<sub>IL</sub>

/Miyano Machinery USA Inc./  
/940 North Central Avenue  
Wood Dale, Illinois 60191/

*Print*

The above-identified applicant is an Illinois corporation and has adopted and is using the trademark shown in the accompanying drawing for

F3<sub>007</sub>

/Machines and machine tools - namely, turning centers, lathes, vertical machining centers and all parts therefor/

*7/23/88*

and requests that said mark be registered in the United States Patent and Trademark Office on the Principal Register established by the act of July 5, 1946.

The trademark was first used on October 1, 1985; was first used in interstate commerce on October 1, 1985; and is now in use in such commerce.

The mark is used by applying it to product and cartons containing the product and five (5) specimens showing the mark as actually used are presented herewith.

~~F15~~

"MIYANO" is a Japanese family name and has no particular English translation.

F9

*Print*

The applicant is the owner of registration numbers:  
1,217,316; 1,217,317 and 1,473,925.

F6<sub>IL</sub>

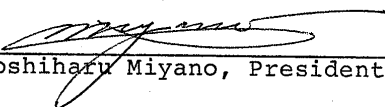
Applicant hereby appoints Masaru Funai, Helmut Eifert, Mary W. Shellenberg, Joseph S. Parisi and Nancy E. Sasamoto, members of the Bar of the State of Illinois practicing under the firm name of/Masuda, Funai, Eifert & Mitchell, Ltd., 134 North LaSalle Street, Suite 1700, Chicago, Illinois 60602/ either individually or collectively, its attorneys with full power of substitution and revocation, to prosecute this application to register, to transact all business in the Patent and Trademark Office in connection therewith, and to receive the certificate of registration.

Nancy E. Sasamoto, whose postal address is Suite 1700, 134 North LaSalle Street, Chicago, Illinois 60602, is hereby designated applicant's representative upon whom notices or processes in proceedings affecting the mark may be served.

Toshiharu Miyano states that he is the President of applicant corporation and is authorized to execute this affidavit on behalf of said corporation; he believes said corporation to be the owner of the trademark sought to be registered; to the best of his knowledge and belief no other person, firm, corporation or association has the right to use said mark in commerce, either in the identical form or in such near resemblance thereto as to be likely, when applied to the goods of such other person, to cause confusion, or to cause mistake, or to deceive; and the facts set forth in this application are true; and further, these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and such willful false statements may jeopardize the validity of the application or document or any registration resulting therefrom.

MIYANO MACHINERY USA, INC.

BY:

  
Toshiharu Miyano, President

DATED: April 7, 1988, 1988



725783

Miyano Machinery USA, Inc.  
940 North Central Avenue  
Wood Dale, Illinois 60191

INTEL	7
PRIOR U.S. CL.	23

5709

First Use: October 1, 1985

First Use in Commerce: October 1, 1985

Goods: Machines and machine tools - namely, turning centers,  
lathes, vertical machining centers and all parts,  
therefor

Attorneys: Masuda, Funai, Eifert & Mitchell, Ltd.  
134 North La Salle Street, Suite 1700  
Chicago, Illinois 60602

# Miyano

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1527309

"REGISTERED"

MAR 07 1989

PAT. &amp; T.M. OFFICE

PUBLISHED  
DEC 13 1988

255 Exhibit 36

17-19





TM

MASUDA, FUNAI, EIFERT & MITCHELL, LTD.

ATTORNEYS AT LAW  
134 NORTH LA SALLE STREET

CHICAGO, ILLINOIS 60602

TELEPHONE (312) 977-9500

TELECOPIER (312) 558-1155

TELECOPIER (312) 558-1056

MASARU FUNAI  
HELMUT EIFERT  
GERALD L. MOREL  
MARY W. SHELLENBERG  
JERROLD E. FINK  
JOSEPH S. PARISI  
COLIN HARA  
KEITH WALTER GROEBE  
THOMAS A. KIEPURA  
GARY D. SANTELLA  
BRYAN Y. FUNAI  
NANCY E. SASAMOTO  
STEPHEN M. PROCTOR  
DAYNE KONO  
TARA GILL  
EDWARD J. UNDERHILL  
CHERYL F. GERTLER  
ELDON H. KAKUDA  
PAULA K. DAVIS

THOMAS MASUDA  
(1905-1988)

#2

SUBURBAN OFFICE  
TWO CONTINENTAL TOWERS  
1701 GOLF ROAD SUITE 403  
ROLLING MEADOWS, IL 60008  
TELEPHONE (312) 977-9500  
TELECOPIER (312) 952-8825

August 8, 1988

The Commissioner of Patents and Trademarks  
Washington, D.C. 20231  
Box 5

Attention: Law Office Eight,  
Trademark Attorney Jerard Rogers

Re: 73/725783 ✓  
Mark: "MIYANO" (STYLIZED) ✓  
Applicant: Miyano Machinery USA Inc. ✓  
Mailing Date of Office Action: 07/01/88

Dear Mr. Rogers:

In response to your Office Action Number One, dated July 1, 1988 (a copy of which is attached), I am enclosing the executed declaration of Toshiharu Miyano, President of the applicant company. I understand that this executed declaration will be inserted in the file.

With the inclusion of the attached declaration, it is believed that this application is in condition for publication. Favorable action is therefore requested. Please feel free to contact me if you have any questions or require further information.

Very truly yours,

MASUDA, FUNAI, EIFERT & MITCHELL, LTD.

*Nancy E. Sasamoto* ✓  
Nancy E. Sasamoto

NES:df 3508  
Enclosure

cc: Miyano Machinery USA Inc.

Toshiharu Miyano

(Name of Officer of Corporation)

being hereby warned that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any registration resulting therefrom, declares that the undersigned is

President


(Official Title)

of Applicant corporation and is authorized to execute this instrument on behalf of said corporation; he/she believes said corporation to be the owner of the mark sought to be registered; to the best of his/her knowledge and belief no other person, firm, corporation, or association has the right to use said mark in commerce, either in the identical form or in such near resemblance thereto as may be likely, when applied to the goods/services of such other person, to cause confusion, or to cause mistake, or to deceive; the facts set forth in this application are true; and all statements made of his/her own knowledge are true and all statements made on information and belief are believed to be true.

Miyano Machinery USA Inc.

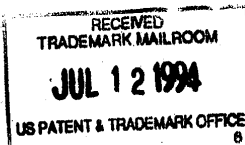
(Name of Corporation)

By

 President  
(Signature of Officer of Corporation, and  
Official Title of Officer)

August 3, 1988

(Date)



200. - 374

CM

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE  
POST REGISTRATION SECTION

International Class No.: 7

Owner: Miyano Machinery USA Inc.  
Trademark: Miyano and Design  
Registration No.: 1,527,809  
Registration Date: March 7, 1989

COMBINED DECLARATION UNDER SECTIONS 8 AND 15

TOSHIHARU (TOM) MIYANO declares that he is the CHAIRMAN  
OF THE BOARD of Miyano Machinery USA Inc. an Illinois  
corporation, having its principal place of business at 940 North  
Central Avenue, Wood Dale, Illinois 60191, and is authorized to  
execute this Declaration on behalf of said corporation; that Miyano  
Machinery USA Inc. owns the above-identified registration issued  
on March 7, 1989, as shown by records in the Patent and Trademark  
Office; that the mark shown herein has been in continuous use in  
interstate commerce for five consecutive years from the date of the  
registration to the present on all of the goods specified in the  
Certificate of Registration:

Machines and machine tools - namely, turning centers, lathes,  
vertical machining centers and all parts therefor

that such mark is still in use in commerce as evidenced by the  
specimens included herewith showing the mark as currently used on  
the goods and on point of purchase displays; and there has been no  
final decision adverse to the Registrant's claim of ownership of  
such mark for such goods, or to the Registrant's right to register  
the same or to keep the same on the Principal Register, and that  
there are no proceedings involving said rights pending and not



disposed of either in the Patent and Trademark Office or in the courts.

I declare further that all statements made herein are true and that these statements were made with the knowledge that willful false statements and the like are punishable by fine or imprisonment, or both under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of this document and the registration to which it relates.

Registrant hereby appoints Amy L. Kurland, Nancy E. Sasamoto and Joseph S. Parisi, all members of the Bar of the State of Illinois and practicing under the firm name of Masuda, Funai, Eifert & Mitchell, Ltd., One East Wacker Drive, Suite 3200, Chicago, Illinois 60601-1802, either individually or collectively, attorneys for said registrant with full power of substitution and revocation to file this declaration and to transact all business in the Patent and Trademark Office in connection therewith.

MIYANO MACHINERY USA INC.

BY: 

TITLE: CHAIRMAN OF THE BOARD

Print or Type Name and Title:

TOSHIHARU (TOM) MIYANO, CHAIRMAN OF THE BOARD

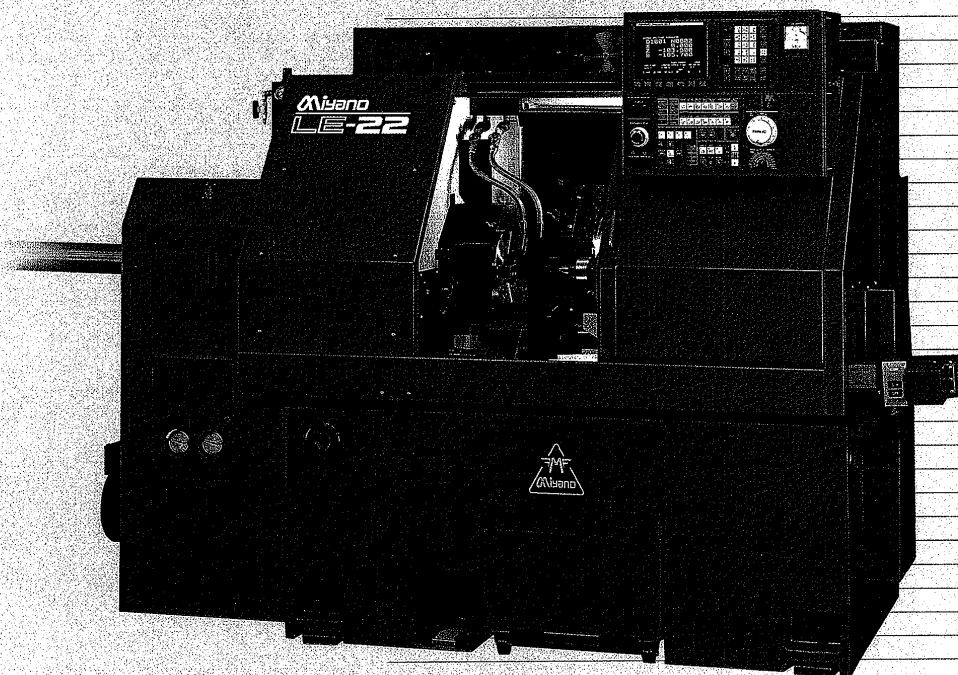
Dated: JUNE 21, 1994

# Miyano

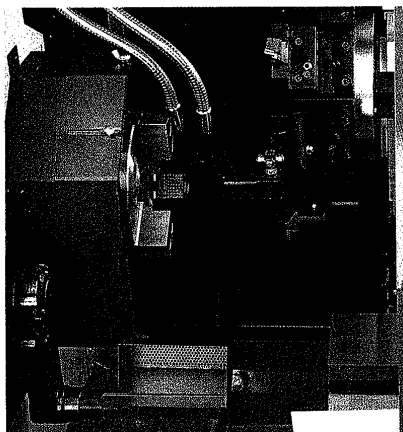
## 2-AXIS CNC TURNING CENTER

# LE-12

# LE-22



The machine color is the USA standard.



### MIYANO'S 2 AXIS CNC TURNING CENTER PROVIDES THE MOST EFFICIENT MACHINING.

#### ■ MAIN FEATURES

- High speed traverse rate of the main turret (Z-Axis:630IPM) provides shorter cycle time.
- High response VAC motor enables efficient and powerful cutting.
- The turret features bi-directional fast indexing of 0.4 sec. (LE-22) with a powerful clamping force to ensure highly accurate heavy machining.
- Tool setting can be performed quickly with Miyano's "SPEED SETTER" sensor(option).
- Coolant tank is separate from the main body to cut the effect of thermal distortion for high accuracy machining.
- The 10 station turret can be equipped with up to 5 revolving tools. Spindle positioning(option) or C-axis spindle control(option) allows various types of combined machining.
- Self cleaning slant bed structure for easy chip disposal.
- 32 bit CPU in the control unit for faster processing.

**Exhibit 36**

**MACHINE SPECIFICATION**

Item	LE-12	LE-22
Machining		
Bar Capacity(round)	1-3/8" (35mm)	2" (51mm)
	6-1/2" (165mm)	8" (210mm)
	10" (255mm)	11-3/4" (300mm)
	6" (165mm)	8" (210mm)
	A2-5	A2-6
	1-3/8" (36mm)	2" (52mm)
	30 to 5,000rpm	25 to 4,000rpm
	VAC 20HP (15.0kW)	VAC 25HP (18.5kW)
	5 degree	5 degree
Collet Chuck	S-16 P-Type Collet S-16 S-Type Collet DIN 171E CRAWFORD W-850	S-22 P-Type Collet S-22 S-Type Collet DIN 177E CRAWFORD V-120
Main Turret		
Tooling Station	10	10
Cutting Tool Shank Size	3/4" (20mm)	1" (25mm)
Tool Hole Dia.	1-3/4" (40mm)	1-3/4" (40mm)
Slide Stroke	X-Axis 5-7/8" (150mm) Z-Axis 11-3/4" (300mm)	6-1/2" (165mm) 13-3/4" (350mm)
Rapid Traverse Rate	X-Axis 472" (12m)/min. Z-Axis 630" (16m)/min.	551" (14m)/min. 630" (16m)/min.
Turret Indexing Time	0.5sec.	0.4sec.
Tail Stock (Option)		
Max. Slide Stroke	11-3/4" (300mm)	11-3/4" (300mm)
Max. Slide Force	560kgf	560kgf
Sleeve Size	MT-4	MT-4
Machine Dimensions		
Machine Height	66" (1,670mm)	66" (1,670mm)
Floor Size without Bar Guide	74"x58" (1,890x1,480mm)	84"x58" (2,135x1,480mm)
Machine Weight	7,270lbs (3,300kg)	7,930lbs (3,600kg)
Optional Attachment	Barfeeding System, Parts Catcher, Parts Conveyor, Chip Conveyor, Chip Cart, Work Ejector, Revolving Tools, C-Axis Control, Spindle Orientation, Spindle Positioning, High Pressure Coolant, Spindle Air Blow, Auto Door, Tail Stock, NC Processor	

Note: The specifications are subject to change without notice.  
Machine in photo may not be exactly same as actual products.

9040TC

**SPECIFICATIONS (FANUC OT)**

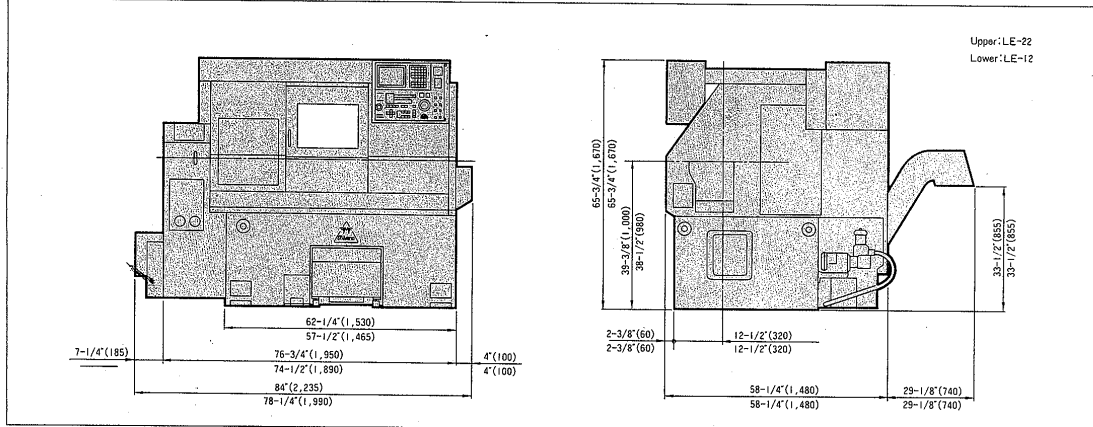
Axis Control	2-Axis, X and Z axis are controlled simultaneously Interpolation Unit: 0.001mm
Min. Output Increment	0.001mm
Min. Input Increment	0.001mm
Memory Capacity	8,000 Character (66ft/20m)
Program I/O System	By RS-232C interface
Program I/O Speed	4,800 bit/sec. (with NC Processor)
Interpolation	G01: Linear, G02/G03: Circular
Rapid Traverse Override	Low Speed, 25%, 50%, 100%
Feed Rate Override	0 to 150% by 10% steps
Threading	G32, G92
Spindle Function	Constant cutting speed control, Direct speed setting with S4 digits 50% to 120% by 10% steps
Spindle Override	By work coordinate system setting
Coordinate System Setting	T4 digit command, first two digits; Selection of tool number and work coordinate number 1 to 32, Last two digits: tool position offset
Work Coordinate Selection and Tool Position Offset	By measuring cut or gauging dimension
Direct input of Tool Offset	One cycle bar work running, Continuous bar work running, Single block running, Block delete, Machine lock, Dry run, Feed hold,
Automatic Running	

32 bit CPU, 9" Monochrome CRT, Decimal Input, Manual Pulse Generator, Memory Protect, Start Interlock, Program No. Search, Canned Cycle (G90, G92, G94), Multiple Repetitive Canned Cycle (G70 to G75), Self Diagnostic, Stored Stroke Limit, Circular Interpolation by Radius Designation, Digital Servo System, Chamfering Corner R, Tool Nose R Compensation,

LE9040TC

**NC OPTION**

Additional Program Memory, Direct Drawing Dimension Program

**EXTERNAL VIEW****MIYANO MACHINERY JAPAN INC.**

3-1, Shimorenjaku 7-chome, Mitsuka-shi Tokyo 191, Japan  
Phone: 0422-46-1121 Telex: 0262233 MINOTO J Facsimile: 0422-44-6699

**MIYANO MACHINERY USA INC.**

Head Office, Production Division:  
940 North Central Avenue, Wood Dale, Illinois 60191 U.S.A.  
Phone: (708) 766-4141 Telex: 910-256-0480 Facsimile: (708) 860-7266

Westcoast Branch:  
2831 North San Fernando Blvd., Burbank, California 91504 U.S.A.  
Phone: (818) 848-6619 Facsimile: (818) 842-2052

**MIYANO MACHINERY EUROPE GMBH.**

Feldheider Strasse 62, 4006 Erkrath 2, West Germany  
Phone: 02104-31067 Telex: 06581270 MIYA D Facsimile: 02104-35239

**MIYANO MACHINERY ASIA CO. LTD.**

#411, Sun Plaza, 28 Canton Road, Kowloon, Hong Kong  
Phone: 311-7273 Facsimile: 311-7356

PRINTED IN JAPAN US-2E-9006330A

**Exhibit 36**

# **Exhibit 37**

650153



APPLICATION FOR REGISTRATION OF TRADEMARK ON  
PRINCIPAL REGISTER ESTABLISHED BY THE ACT OF JULY 5, 1946

Trademark: MIYANO THE WORLD  
LEADER IN PRECISION

Int. Cl. No.: 7

TO THE COMMISSIONER OF PATENTS AND TRADEMARKS:

*F4(3)/*  
*II*  
*F5(II)*  
Miyano Machinery USA Inc./  
940 North Central Avenue  
Wood Dale, Illinois 60191 /

The above-identified applicant is an Illinois corporation and has adopted and is using the trademark shown in the accompanying drawing for

*F3(007)/*  
*per a*  
Machines and machine tools - namely, turning centers, lathes, vertical machining centers and all parts, ~~attachments and accessories~~ therefor.

and requests that said mark be registered in the United States Patent and Trademark Office on the Principal Register established by the act of July 5, 1946.

*per a 142*  
The trademark was first used on October 1, 1985; was first used in interstate commerce on October 1, 1985; and is now in use in such commerce.

The mark is used by applying it to product and cartons containing the product and five (5) specimens showing the mark as actually used are presented herewith.

"MIYANO" is a Japanese family name and has no particular English translation.

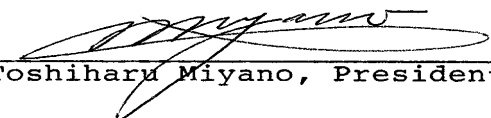
*F6*  
*(II)*  
Applicant hereby appoints Masaru Funai, Helmut Eifert, Mary W. Shellenberg, Joseph S. Parisi and Nancy E. Sasamoto, members of the Bar of the State of Illinois practicing under the firm name of Masuda, Funai, Eifert & Mitchell, Ltd., 134 North LaSalle Street, Suite 1700, Chicago, Illinois 60602, either individually or collectively, its attorneys with full power of substitution and revocation, to prosecute this application to register, to transact all business in the Patent and Trademark Office in connection therewith, and to receive the certificate of registration.

Nancy E. Sasamoto, whose postal address is Suite 1700, 134 North LaSalle Street, Chicago, Illinois 60602, is hereby designated applicant's representative upon whom notices or processes in proceedings affecting the mark may be served.

Exhibit 37

Toshiharu Miyano states that he is the President of applicant corporation and is authorized to execute this affidavit on behalf of said corporation; he believes said corporation to be the owner of the trademark sought to be registered; to the best of his knowledge and belief no other person, firm, corporation or association has the right to use said mark in commerce, either in the identical form or in such near resemblance thereto as to be likely, when applied to the goods of such other person, to cause confusion, or to cause mistake, or to deceive; and the facts set forth in this application are true; and further, these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and such willful false statements may jeopardize the validity of the application or document or any registration resulting therefrom.

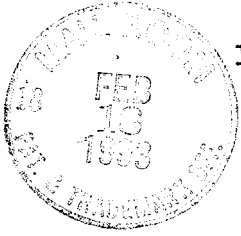
MIYANO MACHINERY USA INC.

BY:   
Toshiharu Miyano, President

DATED: March 11, 1987



#5



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE  
POST REGISTRATION SECTION

International Class No.: 7

Owner: Miyano Machinery USA Inc.  
Trademark: THE WORLD LEADER IN PRECISION  
Registration No.: 1,473,925  
Registration Date: January 26, 1988

COMBINED DECLARATION UNDER SECTIONS 8 AND 15

TOSHIHARU MIYANO declares that he is the  
PRESIDENT of MIYANO MACHINERY USA INC., an  
Illinois corporation, having its principal place of business at  
940 North Central Avenue, Wood Dale, Illinois 60191, and is  
authorized to execute this Declaration on behalf of said  
corporation; that Miyano Machinery USA Inc. owns the above-  
identified registration issued on January 26, 1988, as shown by  
records in the Patent and Trademark Office; that the mark shown  
herein has been in continuous use in interstate commerce for five  
consecutive years from the date of the registration to the present  
on all of the goods specified in the Certificate of Registration:

**MACHINES AND MACHINE TOOLS - NAMELY, TURNING CENTERS, LATHES,  
VERTICAL MACHINING CENTERS AND ALL PARTS THEREFORE.**

that such mark is still in use in commerce as evidenced by the  
specimens included herewith showing the mark as currently used on  
the goods and on point of purchase displays; and there has been no  
final decision adverse to the Registrant's claim of ownership of  
such mark for such goods, or to the Registrant's right to register  
the same or to keep the same on the Principal Register, and that

there are no proceedings involving said rights pending and not disposed of either in the Patent and Trademark Office or in the courts.

I declare further that all statements made herein are true and that these statements were made with the knowledge that willful false statements and the like are punishable by fine or imprisonment, or both under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of this document and the registration to which it relates.

Registrant hereby appoints Rebecca B. Lederhouse, Nancy E. Sasamoto and Joseph S. Parisi, all members of the Bar of the State of Illinois and practicing under the firm name of Masuda, Funai, Eifert & Mitchell, Ltd., One East Wacker Drive, Suite 3200, Chicago, Illinois 60601-1802, either individually or collectively, attorneys for said registrant with full power of substitute and revocation to file this declaration and to transact all business in the Patent and Trademark Office in connection therewith.

MIYANO MACHINERY USA INC.

BY: 

TITLE: PRESIDENT

Dated: Feb. 8, 1993

RBL:cmp  
2260\trademark\00390001.RL8



# **Exhibit 38**



APPLICATION FOR REGISTRATION OF TRADEMARK ON  
PRINCIPAL REGISTER ESTABLISHED BY THE ACT OF JULY 5, 1946

Trademark: MIYANO

Int. Cl. No.: 7

TO THE COMMISSIONER OF PATENTS AND TRADEMARKS:

F403  
IL  
F5  
IL  
Miyano Machinery USA Inc.  
940 North Central Avenue  
Wood Dale, Illinois 60191

The above-identified applicant is an Illinois corporation and has adopted and is using the trademark shown in the accompanying drawing for

F3  
007  
Machines and machine tools - namely, turning centers, lathes, vertical machining centers and all parts therefor

7/23  
200  
and requests that said mark be registered in the United States Patent and Trademark Office on the Principal Register established by the act of July 5, 1946.

The trademark was first used on January 9, 1975; was first used in interstate commerce on January 9, 1975; and is now in use in such commerce.

The mark is used by applying it to product and cartons containing the product and five (5) specimens showing the mark as actually used are presented herewith.

"MIYANO" is a Japanese family name and has no particular English translation.

F-9  
The applicant is the owner of registration numbers: Print  
1,217,316; 1,217,317 and 1,473,925.


F6  
IL  
Applicant hereby appoints Masaru Funai, Helmut Eifert, Mary W. Shellenberg, Joseph S. Parisi and Nancy E. Sasamoto, members of the Bar of the State of Illinois practicing under the firm name of Masuda, Funai, Eifert & Mitchell, Ltd., 134 North LaSalle Street, Suite 1700, Chicago, Illinois 60602, either individually or collectively, its attorneys with full power of substitution and revocation, to prosecute this application to register, to transact all business in the Patent and Trademark Office in connection therewith, and to receive the certificate of registration.

Nancy E. Sasamoto, whose postal address is Suite 1700, 134 North LaSalle Street, Chicago, Illinois 60602, is hereby designated applicant's representative upon whom notices or processes in proceedings affecting the mark may be served.

Toshiharu Miyano states that he is the President of applicant corporation and is authorized to execute this affidavit on behalf of said corporation; he believes said corporation to be the owner of the trademark sought to be registered; to the best of his knowledge and belief no other person, firm, corporation or association has the right to use said mark in commerce, either in the identical form or in such near resemblance thereto as to be likely, when applied to the goods of such other person, to cause confusion, or to cause mistake, or to deceive; and the facts set forth in this application are true; and further, these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and such willful false statements may jeopardize the validity of the application or document or any registration resulting therefrom.

MIYANO MACHINERY USA, INC.

BY:

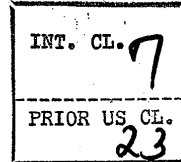
  
Toshiharu Miyano, President

DATED: April 7, 1988



725705

Miyano Machinery USA, Inc.  
North Central Avenue  
Wood Dale, Illinois 60191



First Use: January 9, 1975

First Use in Commerce: January 9, 1975

Goods: Machines and machine tools - namely, turning centers, lathes, vertical machining centers and all parts, therefor

Attorneys: Masuda, Funai, Eifert & Mitchell, Ltd.  
134 North La Salle Street, Suite 1700  
Chicago, Illinois 60602

MIYANO

1529343  
"REGISTERED"

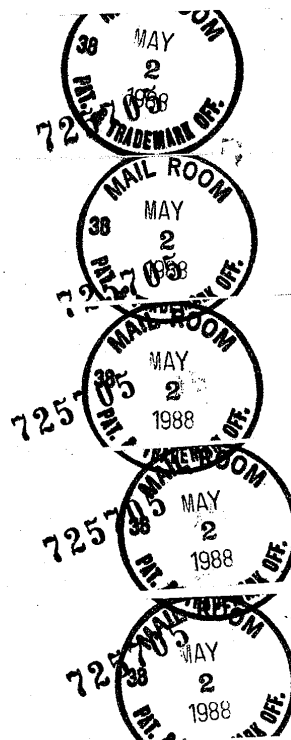
MAR 14 1969

PAT. & T.M. OFFICE

RECEIVED  
JUL 20 1988

2





MASARU FUNAI  
HELMUT EIFERT  
GERALD L. MOREL  
MARY W. SHELLENBERG  
JERROLD E. FINK  
JOSEPH S. PARISI  
COLIN HARA  
KEITH WALTER GROEBE  
THOMAS A. KIEPURA  
GARY D. SANTELLA  
BRYAN Y. FUNAI  
NANCY E. SASAMOTO  
STEPHEN M. PROCTOR  
DAYNE KONG  
TARA GILL  
EDWARD J. UNDERHILL  
CHERYL F. BERTLER  
ELDON H. KAKUDA  
PAULA K. DAVIS



MASUDA, FUNAI, EIFERT & MITCHELL, LTD.

ATTORNEYS AT LAW  
134 NORTH LA SALLE STREET  
17TH FLOOR  
CHICAGO, ILLINOIS 60602  
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TELECOPIER (312) 558-1058

THOMAS MASUDA  
(1905-1986)

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ROLLING MEADOWS, IL 60008  
TELEPHONE (312) 977-9500  
TELECOPIER (312) 952-8825

August 8, 1988

The Commissioner of Patents and Trademarks  
Washington, D.C. 20231  
Box 5

Attention: Law Office Eight,  
Trademark Attorney Jerard Rogers

Re: 73/725705 ✓  
Mark: "MIYANO" ✓  
Applicant: Miyano Machinery USA Inc. ✓  
Mailing Date of Office Action: 07/01/88

RECEIVED  
AUG 16 11 00 AM '88  
T.M.E.O.  
LAW OFFICE VIII

Dear Mr. Rogers:

In response to your Office Action Number One, dated July 1, 1988 (a copy of which is attached), I am enclosing the executed declaration of Toshiharu Miyano, President of the applicant company. I understand that this executed declaration will be inserted in the file.

With the inclusion of the attached declaration, it is believed that this application is in condition for publication. Favorable action is therefore requested. Please feel free to contact me if you have any questions or require further information.

Very truly yours,

MASUDA, FUNAI, EIFERT & MITCHELL, LTD.

*Nancy E. Sasamoto* ✓

Nancy E. Sasamoto

NES:df 3508  
Enclosure

cc: Miyano Machinery USA Inc.

Toshiharu Miyano

(Name of Officer of Corporation)

being hereby warned that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any registration resulting therefrom, declares that the undersigned is

President

(Official Title)

of Applicant corporation and is authorized to execute this instrument on behalf of said corporation; he/she believes said corporation to be the owner of the mark sought to be registered; to the best of his/her knowledge and belief no other person, firm, corporation, or association has the right to use said mark in commerce, either in the identical form or in such near resemblance thereto as may be likely, when applied to the goods/services of such other person, to cause confusion, or to cause mistake, or to deceive; the facts set forth in this application are true; and all statements made of his/her own knowledge are true and all statements made on information and belief are believed to be true.

Miyano Machinery USA Inc.

(Name of Corporation)

By 

President

(Signature of Officer of Corporation, and  
Official Title of Officer)

August 3, 1988

(Date)